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Attorney for Debtor(s)
BRIAN D. BANCROFT and
MICHELLE J. BANCROFT

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

In re:
BRIAN D. BANCROFT and
MICHELLE J. BANCROFT,

Case No. 09-45667-B-13J

In Chapter 13

D.C. No.: PPR-1

**DEBTORS OPPOSITION TO
MOTION FOR RELIEF FROM
THE AUTOMATIC STAY**

Date: July 6, 2010
Time: 9:31 a.m.
Ctmm: 32, 6th Floor
Dept: B

Debtor(s).

Debtors, BRIAN D. BANCROFT and MICHELLE J. BANCROFT, by and through their
attorney of record, JOHN A. TOSNEY, hereby brings their Opposition to Movant US BANK, N.A.,
Motion for Relief from the Automatic Stay, based upon the following grounds:

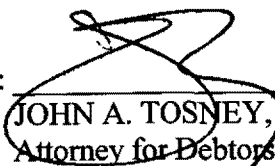
1. Creditor US BANK, N.A., has improperly brought this Relief from Stay Action
based on a signed Mortgage modification which US BANK, N.A., apparently overlooked. (See
Exhibit A, attached.)

2. Debtors are in fact, current on the mortgage modification agreement with the
exception of three payments which US BANK, N.A., has refused to accept but Debtors still are
holding the funds.

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3. The Relief from Stay Action is patently wrong on its face based on the modification agreement. Debtors therefore are requesting Rule 9011 sanctions, attorney's fees, court costs and other relief as deemed appropriate by the court.

Dated: _____

By:  _____
JOHN A. TOSNEY, Esq.
Attorney for Debtors